

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

Claims 1-6 (Cancelled).

Claim 7 (New) A radio communication method of a mobile station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the radio communication method comprising:

step of receiving code information by message, said code information for switching a first code being used to a second code;

step of receiving timing information by message, said timing information including an integer representing a frame at which the first code is switched to the second code;

step of switching the first code to the second code based on the code information and the timing information received, said step of switching performed in synchronization with switching the first code to the second code at the one of the plurality of base stations; and

step of transmitting a completion message to indicate completion of the step of switching the first code to the second code at the mobile station, wherein,

the timing information is used to synchronize the switching at the mobile station with the switching at the one of plurality of base stations.

Claim 8 (New) The radio communication method of claim 7, the radio communication method further comprising:

step of releasing the first code.

Claim 9 (New) The radio communication method of claim 7, wherein the completion message is transmitted from the one of the plurality of mobile stations to the base station controlling apparatus.

Claim 10 (New) A radio communication method of a mobile station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the radio communication method comprising:

step of receiving code information by message, said code information for switching a first code being used to a second code;

step of receiving timing information by message, said timing information regarding timing of switching the first code to the second code;

step of switching the first code to the second code based on the code information and the timing information received, said step of switching performed in synchronization with switching the first code to the second code at the one of the plurality of base stations; and

step of transmitting a completion message to indicate completion of the step of switching the first code to the second code at the mobile station, wherein,

the timing information is used to synchronize the switching at the mobile station with the switching at the one of plurality of base stations.

Claim 11 (New) The radio communication method of claim 10, the radio communication method further comprising:

step of releasing the first code.

Claim 12 (New) The radio communication method of claim 10, wherein the completion message is transmitted from the one of the plurality of mobile stations to the base

station controlling apparatus.

Claim 13 (New) A mobile station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate transmission, the base station comprising:

a switching unit configured to receive code information by message, said code information for switching a first code being used to a second code, said switching unit further configured to receive timing information by message, said timing information including an integer representing a frame at which the first code is switched to the second code, said switching unit further configured to switch the first code to the second based on the code information and the timing information received and in synchronization with a switching the first code to the second code at one of a plurality of base stations, said switching unit further configured to transmit a completion message to indicate completion switching the first code to the second code at the mobile station, wherein,

the timing information is used to synchronize the switching at the mobile station with the switching at the one of plurality of base stations.

Claim 14 (New) A mobile station of claim 13, wherein the mobile stations releases the first code after switching the first code to the second code.

Claim 15 (New) A mobile station of claim 13, wherein the mobile stations transmits the completion message to the base station controlling apparatus.

Claim 16 (New) A mobile station used for a radio communication system employing CDMA (Code Division Multiple Access) for radio access and providing multi-rate

transmission, the base station comprising:

a switching unit configured to receive code information by message, said code information for switching a first code being used to a second code, said switching unit further configured to receive timing information by message, said timing information regarding timing of switching the first code to the second code, said switching unit further configured to switch the first code to the second based on the code information and the timing information received and in synchronization with a switching the first code to the second code at one of a plurality of base stations, said switching unit further configured to transmit a completion message to indicate completion of switching the first code to the second code at the mobile station, wherein,

the timing information is used to synchronize the switching at the mobile stations with the switching at the one of plurality of base stations.

Claim 17 (New) A mobile station of claim 16, wherein the mobile stations releases the first code after switching the first code to the second code.

Claim 18 (New) A mobile station of claim 16, wherein the mobile stations transmits the completion message to the base station controlling apparatus.